

Shannon. Tillery.
Shults. Weinert.
Smith. West.
Steward. Young.

Absent—Excused

Johnson of Dimmit.

RECESS

On motion of Mr. Moffett, the House, at 9:45 o'clock p. m., took recess to 9:30 o'clock a. m., tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills and resolutions, as follows:

State Affairs: House Concurrent Resolution No. 60; Senate Concurrent Resolution No. 28; Senate Bills Nos. 133, 315, and 471; House Bills Nos. 849 and 867.

Conservation and Reclamation: Senate Bill No. 500; House Bill No. 729.

Agriculture: House Bill No. 814.

Education: House Bill No. 716.

Public Health: House Bill No. 892; Senate Bill No. 296.

Public Lands and Buildings: Senate Bills Nos. 203 and 388.

Privileges, Suffrage, and Elections: Senate Bills Nos. 20 and 33.

Live Stock and Stock Raising: Senate Bill No. 109.

FIFTY-SECOND DAY

(Continued)

(Friday, April 21, 1933)

The House met at 9:30 o'clock a. m., and was called to order by Speaker Stevenson.

HOUSE BILL NO. 154 ON THIRD READING

The Speaker laid before the House, as pending business, on its final passage,

H. B. No. 154, A bill to be entitled "An Act amending Article 7071, Title 122, Chapter 2, Revised Civil Statutes of 1925, and providing for the levying of an occupation tax on petroleum oil, mineral oil, or other oils that are taken from the earth; providing the date of payment of same, and providing the manner and time of reporting same to the Treasury of this State, and providing for inspection

of records kept by persons engaged in such business, etc.; and declaring an emergency";

The bill having heretofore been read third time.

Mr. Moore raised the following point of order on further consideration of House Bill No. 154:

"The following point of order is raised to Subdivision 1, of Section 2, of House Bill No. 154, being the graduated occupation tax provision of such bill:

"Such provision is unconstitutional in that:

"First, it contravenes Section 2, of Article VIII, of the Constitution of the State of Texas which provides that 'All occupation taxes shall be equal and uniform upon the same class of subjects';

"Second, it contravenes the Fourteenth Amendment to the Constitution of the United States of America which guarantees to all persons the equal protection of the law;

"Third, the object of this Subdivision, as shown by the arguments by the proponents of the bill on the floor of the House, is to bring about proration on a per well basis by taxation when the per well basis has been held void by the Federal courts."

The Speaker overruled the point of order, stating his reasons as follows:

"The Chair has a great deal of respect for the ability of the distinguished gentleman from Harris County. He has filled important positions in the State Government, aside from his Membership in this Body, and he and I have searched diligently through the authorities that he has referred to, and he has correctly stated that no decision is directly bearing on the point in question. The Chair is inclined to believe that the point of order will probably be held good by the courts. It is my private opinion that the bill is unconstitutional in its graduated tax features, and in the discrimination which will be brought about by the enforcement of its provisions. But since the question is of such importance, the Chair has decided that the question should be considered by the courts in the event the bill should pass. In the absence of any direct pronouncement by the courts, the Chair would be assuming functions that he does not have in sustaining the point of order. The Chair

is of the opinion that since the courts have decided that they will not look behind the enrolled bill in determining whether the constitutional requirements have been observed in its passage, it is incumbent on the Speaker to pass promptly on constitutional requirements of procedure. But this is not a constitutional requirement of procedure. It goes to the substantive matter in the terms of the bill. The Chair thinks that it is of such importance that the courts ought to be allowed to pass on it, and the Chair overrules the point of order." X

Mr. Wagstaff raised the following point of order:

"I raise the point of order that House Bill No. 154 is unconstitutional, for the following reasons:

"1. Said bill provides for a direct tax on oil, which is property, and upon royalties, which are property, and which property is already subject to taxation by ad valorem tax, and this bill will subject such property to double taxation, and is in violation of Article VIII, Section 1, of the Constitution of Texas.

"2. Said bill is also in violation of Article VIII, Section 9, of the Texas Constitution, which limits the ad valorem tax on property to 35 cents on the one hundred dollars' valuation, and this bill levies an additional tax upon oil and royalties, without regard to value, and in addition to the ad valorem tax.

"3. Said bill purports to be an occupation tax, but same is not levied upon a business, or occupation, or upon natural persons, or corporations, but is levied upon property, and is in violation of Article VIII, Section 1, of the Constitution of Texas."

With reference to Mr. Wagstaff's point of order, the Chair ruled:

"The same remarks that the Speaker made on the point of order raised by the gentleman from Harris, Mr. Moore, are applicable here, and the Chair overrules the point of order."

Mr. Hartzog offered the following amendment to the bill:

Amend House Bill No. 154 by adding at the end of paragraph 4, of Section 2 (1), the following:

"Provided, however, only the flat two (2) cents tax per barrel shall apply to any well over 5,000 feet deep, or to any well where the subsurface

conditions are such that to restrict production below 150 barrels per day would injure, impair, or destroy said well, which fact shall be determined by the Railroad Commission of the State of Texas, after a proper hearing and investigation."

HARTZOG,
METCALFE,
GRAVES.

Mr. Vaughan raised a point of order on further consideration of the amendment, on the ground that the amendment, if adopted, would render the bill unconstitutional.

The Speaker overruled the point of order.

Question recurring on the amendment, it was adopted.

Mr. Haag offered the following amendment to the bill:

Amend House Bill No. 154 by adding, to paragraph 1, Section 2, thereof, the following:

"Provided, however, that only the flat tax of two cents (2c) per barrel shall be charged and collected on the oil produced from each well serving twenty (20) acres of land or more."

Question—Shall the amendment by Mr. Haag be adopted?

MESSAGE FROM THE SENATE

Senate Chamber,

Austin, Texas, April 21, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. B. No. 275, A bill to be entitled "An Act providing for a game breeder's license, the fee for same; effective date of such licenses; the privileges granted under such license, with certain restrictions; providing for keeping of record of the operation of game breeders; providing certain regulations in reference to the transportation of game, etc.; and declaring an emergency."

H. B. No. 663, A bill to be entitled "An Act authorizing any common school district, independent school district, consolidated common school district, consolidated independent school district, county line school district, consolidated county line school district, or rural school district to hold an election for the purpose of the cancellation and revoca-

tion of any unsold school bonds, and providing that such election shall be ordered and held in the same form and manner provided for in voting such school bonds; providing for the cancellation and destruction of such unsold school bonds retired by reason of such election, and the adjustment of existing tax levies, and refund of any taxes levied and collected in anticipation of the sale of such school bonds, etc.; and declaring an emergency."

H. B. No. 709, A bill to be entitled "An Act authorizing the board of directors of any water improvement district, or water control and improvement district within the State to remit, in whole, or in part, the penalties and interest on all ad valorem taxes levied by such districts that are now delinquent and/or past due and unpaid, and which are paid on or before December 31, 1933, and declaring an emergency."

H. B. No. 815, A bill to be entitled "An Act to amend Special Laws, 1920, Thirty-sixth Legislature, Third Called Session, page 75, Chapter 30, Subdivision 8, known as Senate Bill No. 8, so as to provide for three local taxpayers to sit as a board of equalization, of which one shall be secretary of said equalization board, and shall fix a time for the meeting of such board of equalization; and declaring an emergency."

Respectfully,

BOB BARKER,
Secretary of the Senate.

RELATIVE TO HOUSE BILL NO. 558

On motion of Mr. Harris, by unanimous consent of the House, the caption of House Bill No. 558 was ordered amended to conform to all changes made in the body of the bill.

PRESENTATION OF THE FLAG OF THE BATTLE OF SAN JACINTO TO THE STATE OF TEXAS

At 10 o'clock a. m., the hour fixed by concurrent action of the House and Senate for the presentation of the Flag of the Battle of San Jacinto, the Honorable Senate, escorted by Bob Barker, Secretary of the Senate, and A. W. Holt, Sergeant-at-Arms of the Senate, appeared at the Bar of the House, and, being duly announced, were admitted and escorted to seats prepared for them along the aisle.

Senator Walter Woodul, President Pro Tempore of the Senate, occupied a seat on the Speaker's stand.

Lieutenant-Governor Edgar E. Witt and party were escorted to seats on the Speaker's stand.

Hon. Coke R. Stevenson, Speaker of the House, called the House to order.

Senator Walter Woodul, President Pro Tempore of the Senate, called the Senate to order.

Speaker Stevenson then introduced Mr. Walter E. Kendall, grandson of General Sidney Sherman.

Mr. Kendall then presented the Flag of the Battle of San Jacinto to the State of Texas, speaking as follows:

"Mr. President and Mr. Speaker, Ladies and Gentlemen of the Forty-third Legislature, and Ladies and Gentlemen:

"The flag of San Jacinto, by legislative resolution, has come to rest in its final sanctuary. What could be more fitting and appropriate than that this historic banner, first unfurled in the cause of liberty and freedom from the despotism of a foreign foe, should take its place in the forum of the people whose ancestors, by valor and self-sacrifice, achieved the right to form a government of their own.

"Many years ago, the flag became the property of the State, but if it is to be appreciated and treasured, its history should be given, and its history should be remembered. If this history reflects, as it necessarily must, incidents in the life of my grandfather, Sidney Sherman, I am sure that you will absolve me of any intention to turn upon him too strongly the light of history. But to adequately tell the romantic story of this flag, one must recount those certain incidents of his life with which it was interwoven, always remembering that they transpired during times more romantic and stirring than our own.

"During the year 1835, news of the desperate plight and heroic efforts of that sturdy band of frontiersmen in Texas, struggling under the heavy yoke of Mexican oppression, was being circulated throughout the States, and many young men, fired with patriotism and the love of adventure and possessing an inborn hatred of tyranny and despotism, turned their faces toward the Southwest, fully de-

terminated to cast their lot with the struggling Texans. Among these was Sidney Sherman, born in Marlboro, Massachusetts, a suburb of Boston, who, in his young manhood, had left New England for the West, and settled in Newport, Kentucky. He was a first cousin once removed of Roger Sherman, who, not only signed the American Declaration of Independence, but who, with Thomas Jefferson, John Adams, Benjamin Franklin, and Robert Livingston, comprised the committee selected to draft that immortal document. Sidney Sherman seemed imbued with a keen desire for military affairs and military adventure. Throughout the year 1835, he was the captain of a military company, known as the Newport Rifles, which he had organized and largely equipped. The urgent and appealing call for help from the Texans found a ready response in Captain Sherman, who was able to recruit his company to fifty men for active military service on the Southwestern frontier.

"As a mark of the romantic chivalry of those days, the citizens of Newport tendered to Captain Sherman and his volunteers a ball on the night before their departure for Texas. The ladies of that city had secured a battle flag and selected Isabelle Cox, late of Frankfort, Kentucky, the bride of Captain Sherman, to present the flag. In its present restored state, it is beautiful and inspiring; truly, a hundred years ago, at the time of this original presentation, it must have been of striking loveliness. In connection with the presentation of the flag, an incident of romantic value is recalled. One of the young ladies present on the occasion was called upon by one of the volunteers to present a memorial of the occasion. Without hesitation, she drew a long, white glove from her hand, and threw it at his feet, with these words: 'Here, sir; let this be your gauge of battle; bear it foremost in the fight!' This glove was tied around the staff, above the flag, where it remained until the Battle of San Jacinto, and during that engagement it was lost. It inspired some verses by one of those who followed in its victorious wake on that memorable day.

"During the last days of December, 1835, this little company of patriots embarked on an Ohio river steamer

amid the shriek of whistles and plaudits of the populace of the cities of Newport, Covington, and Cincinnati. They made their way down the Ohio and Mississippi Rivers and landed at Natchitoches, Louisiana, marched to Nacogdoches, and from there on to Gonzales, where the main body of the Texan Army had assembled. Here the company waited two weeks until General Houston arrived to take command. Immediately upon his arrival, the First Regiment of Texas Volunteers was organized, and Sidney Sherman became its lieutenant-colonel. On the very day of this occurrence came the news of the tragic fall of the Alamo and the slaughter of its heroic defenders. The Texan Army being entirely unprepared to meet the Mexican forces in San Antonio, then reputed to consist of 7,000 men, started their march to the east. On the arrival of the Texan Army at the Brazos River, the Second Texas Volunteer Regiment was organized, and Colonel Sherman became its commander. This Second Regiment formed the left wing of the Texan Army in the Battle of San Jacinto.

"Among those who volunteered in Captain Sherman's company, was one James Austin Sylvester, a native of Maryland, who enlisted in the Newport Rifles, December 18, 1835, and who, upon the first reorganization of the Texan Army at Gonzales, became second sergeant and color bearer of Company "A" of the First Regiment of the Texas Volunteers. It was in his sturdy, brave hands that the flag was borne throughout the thickest of that short, but, decisive, battle of the world. It might be added here that it was this same Sylvester, who, on the next day, with a number of others, captured and took into the Texas camp President Santa Anna, Commander in Chief of the Mexican forces, and self-styled 'Dictator of the West.'

"It is not recorded that the flag was used on the afternoon of April 20, 1835, when Colonel Sherman led a small squadron of cavalry in an attack upon a detachment of the enemy's cavalry, that occupied an island of timber between the hostile camps. However, it is not inappropriate to repeat here an excerpt from the first report of the battle of San Jacinto made by Thomas J. Rusk, then Secretary of War of the Republic of Texas, to David G. Burnet, its Pres-

ident, then at Galveston, on the day following the battle. In speaking of this preliminary skirmish, he reported: 'Too much praise cannot be bestowed upon those who were engaged in this charge, for never was one of greater peril, made with more courage, and terminated with less loss.'

"Further on in this report, he states: 'In a battle where every individual performed his duty, it might seem invidious to draw distinctions; but, while I do justice to all in expressing my high admiration, of the bravery and gallant conduct of both officers and men, I hope I may be indulged in the expression of my highest approbation of the chivalrous conduct of Major James Collingsworth in almost every part of the engagement. Colonel Hockley, with his command of artillery, Colonel Wharton, the Adjutant General, Major Cook, and, in fact, all of the staff officers; Colonels Burleson and Somervell on the right; Colonel Milliard in the center, and Colonel Sherman, Colonel Bennett, and Major Wells on the left, and Colonel Lamar on the extreme right, and the cavalry that led on the charge and followed in pursuit with dauntless bravery. All have my highest approbation. With such men, sustained as we shall be by the patriots and lovers of liberty in our mother country, hateful despotism cannot find a resting place for the sole of her foot, on the beautiful plains of Texas! A volume would not contain the deeds of independent daring and bravery. Each captain has been required to make a report, and I hope justice will be done to all the brave spirits who mingled in the glorious achievement of State.'

"We are able to further visualize the heroic part played by the flag of San Jacinto when we recall the official report of the battle made by the Commander in Chief, General Houston, four days after the battle. In part, he states: 'Colonel Sherman, with his regiment, having commenced the action upon our left wing, the whole line at the center and at the right, advancing in double quick time, rung the war cry, "Remember the Alamo!" received the enemy's fire, and advanced within point blank shot before a piece was discharged from our lines. Our lines advanced without a halt until they were in possession of the woodland and the breastwork, the

right wing of Burleson's and left of Milliard's taking possession of the breastwork; our artillery having charged up within seventy yards of the enemy's cannon, when it was taken by our troops. The conflict lasted about eighteen minutes from the time of close action until we were in possession of the enemy's camp, taking one piece of cannon (loaded), four stand of colors, all of their camp equipage, stores, and baggage.'

"It can not be doubted but that this flag, which must for all time grace and dignify the spot where it is located, played its full part in giving inspiration, determination, courage, and spiritual superiority to every soldier on the field of San Jacinto. History records no engagement of such short duration that led to more changes in the map of the world and the history of nations. It may well be likened in its historical importance and effects to the battle of Marathon, where 10,000 Athenians, under Miltiades, met and overthrew the Persian hosts numbering over 100,000, and stemmed for all time the efforts of the Asiatics to overrun Western Europe. The Battle of San Jacinto marked not only the independence of Texas, but the end of Latin conquest and Latin aggression in the United States, and marked the great southwestern boundary of the Nation.

"After the battle, the flag was deposited in the office of the Secretary of War until August, 1836, when it was sent by the Government of Texas to Mrs. Sidney Sherman, then at Frankfort, Kentucky, with the following note:

" 'Velasco, August 5, 1836,
" 'War Department.

" 'This stand of colors, presented by the ladies of Newport, Kentucky, to Captain Sidney Sherman, is the same which triumphantly waved on the memorable field of San Jacinto, and is, by the Government, presented to the lady of Colonel Sidney Sherman, as a testimonial of his gallant conduct on that occasion.

(Signed) " 'A. SOMERVILLE,
" 'Secretary of War.

" 'Approved:
" 'David G. Burnet.'

"It was always the thought of Sidney Sherman that the flag should ultimately belong to the State, and in 1896, something more than twenty

years after his death, the flag, together with the original note signed by the Secretary of War, and approved by President Burnet, presenting the flag to the wife of Sidney Sherman, was presented to the State by his then living daughters, Mesdames J. M. O. Menard, W. E. Kendall, and L. W. Craig.

"I quote from the letter of A. J. Rose, Commissioner of Insurance, Statistics, and History, under date of September 3, 1896, acknowledging receipt of the flag: 'It is not probable that you have brought yourselves to consent, without feelings of regret, to part with these mute reminders of a precious past. For you, especially, they possess other and dearer values than such as are exclusively incident to the fact that they commemorate a great historic event. For this, of course, you deeply reverence them. But they mean more than this for you. They were treasured heirlooms in your family, and richly reminiscent of tender associations directly personal to yourselves.

"If the giving of them up has evoked some shades of sorrow, then surely the freedom with which you make the sacrifice, that they might be deposited among the State's archives, where, you say, they rightfully belong, is convincing assurance that with the daughters of General Sidney Sherman, the spirit of patriotism is cultivated as something superior to the suggestions of self.

"Faithful history long ago, in indelible and unmistakable terms, registered the proofs of your father's title to grateful remembrance by the people of Texas and to the applause of men wherever liberty is loved and patriotism prevails. The letter presenting the flag to your mother is something more than the deserved expression of a tribute to your father from his compatriots in the cause of emancipated Texas. It is his government's officially declared testimonial of his gallant conduct while a military chieftain in its service.'

"At the time of its presentation to the State, the flag, though carefully preserved, had become a mass of broken fragments and crumbling pieces, and were kept together in a glass case. It remained in this condition in the State Library, until its custody was loaned to the Daughters of the Republic of Texas in 1925, when it was moved and placed with

their collection of Texas historical relics. Through the efforts of these patriotic ladies, in co-operation with Representative P. L. Anderson, of San Antonio, a legislative appropriation of five hundred dollars was secured, and the fragments of the flag were sent to California, where the tedious work of restoring it was done by a Mrs. Richey, the arrangements therefor having been perfected by Miss Wilcox, of the State Library, in whose custody the flag will remain. It was the purpose of the resolution heretofore unanimously adopted by this Legislature, as well as the hope and wish of those to whom the history of the flag, and the flag itself, is so dear, that it shall forever remain in its present location behind the Speaker's stand, in the House of Representatives of Texas.

"This great empire, blessed by the Creator with all of the resources that man could desire, favored by climate and geographical location, is surpassingly enriched by a chronicle as unique and chivalrous as has ever been inscribed upon the pages of history. During these latter times of stress and readjustment, when men's minds are bent to the solution of problems close at hand, there is a proneness to regard too lightly and pass without due consideration the value of these priceless heritages of the past. If we will but pause and pay them the tribute that is rightfully theirs, we will find something in it to stiffen our moral fibre, enrich our hearts, and quicken our spirits.

"The flag of San Jacinto, restored to last a hundred years, will remain in this great Hall, where comes the people's Representatives to mould into law those principles of government designed for the perpetuation and well-being of organized society. Here, no less than on the battle field, is demanded clear thinking and right thinking, loyalty without a stain and irreproachable patriotism. Unless such high purpose animates the activities of those who labor here, the State cannot endure. With its striking colors, its heroic history, the consciousness that in the long ago, it stirred brave men to heroic deeds in the noble cause of freedom, it should ever remain a sacred talisman, not only to those who serve the people here, but to the people themselves who, now and in the years to come, will pause before it to read its story.

I am quite sure that when Sidney Sherman expressed his desire that this flag, which alone was borne at San Jacinto, should become the property of the State, he fully realized that its functions, its history, its associations, and its memories were too closely linked with the people of Texas for anyone to claim it as his own. Therefore, as the representative of his family and with justified pride, I am honored, Mr. Speaker, in presenting to you, as worthy and trusted representative of our people, the venerated flag of San Jacinto."

Speaker Stevenson presented Mrs. O. M. Farnsworth, President of the Daughters of the Republic of Texas.

Mrs. Farnsworth then addressed the Joint Session and the assemblage.

Senator Walter Woodul presented the Hon. Coke R. Stevenson, Speaker, who accepted the flag on behalf of the State of Texas.

PRESENTATION OF PORTRAIT OF MAJOR GENERAL HENRY T. ALLEN

At 11 o'clock a. m., the House, in response to an invitation from the Senate, repaired to the Senate Chamber to witness the ceremonies of the presentation of the portrait of Major General Henry T. Allen, to the State of Texas.

The House reconvened at the conclusion of the services in the Senate.

RELATIVE TO SENATE BILL NO. 139

Mr. Holland moved to reconsider the vote by which Senate Bill No. 139 was passed.

The motion to reconsider prevailed.

Question—Shall Senate Bill No. 139 be passed?

BILL RE-REFERRED

On motion of Mr. Kayton, House Bill No. 897 was withdrawn from the Committee on State Affairs and referred to the Committee on Appropriations.

RECESS

On motion of Mr. Lotief, the House, at 12:10 o'clock p. m., took recess to 2 o'clock p. m., today.

AFTERNOON SESSION

The House met at 2 o'clock p. m., and was called to order by the Speaker.

BILLS AND RESOLUTION SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled bills and resolution:

H. B. No. 150, "An Act to amend Article 2218, Title 41, Chapter 9, of the Revised Civil Statutes, 1925, providing that in a foreclosure, if the property be real property, and if the proceeds of such sale be insufficient to satisfy the mortgage and other liens, then no judgment shall issue, as a deficiency judgment against any other property of the defendant, to satisfy any balance thereof remaining unpaid; and declaring an emergency."

H. B. No. 169, "An Act making appropriations to pay the salaries of officers and employes of certain eleemosynary institutions of the State and other expenses of maintaining and conducting them for the two fiscal years, September 1, 1933, to August 31, 1935, inclusive, etc., and declaring an emergency."

H. C. R. No. 69, Suspending certain Joint Rule for the purpose of considering House Bill No. 154.

MESSAGE FROM THE SENATE

Senate Chamber,
Austin, Texas, April 21, 1933.
Hon. Coke Stevenson, Speaker of the
House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 412, A bill to be entitled "An Act amending Article 7076, of the Revised Civil Statutes of Texas, 1925; relating to the recovery of money and penalties due the State of Texas; providing for the venue in such suits; and declaring an emergency."

Respectfully,
BOB BARKER,
Secretary of the Senate.

Mr. Moore moved a call of the House for the purpose of maintaining a quorum pending consideration of House Bill No. 154, and the call was duly seconded.

Question recurring on the motion for the call of the House, it was lost.

Mr. Harris moved a call of the House for the purpose of maintaining a quorum until 5 o'clock p. m., today, and the call was duly seconded.

Question recurring on the motion for the call of the House, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—75

Mr. Speaker.	Leonard.
Adamson.	Lindsey.
Baker.	Lotief.
Bedford.	Mackay.
Bourne.	Merritt.
Bradley.	Mitcham.
Camp.	Moffett.
Chastain.	Moore.
Clayton.	Morrison.
Cowley.	Morse.
Devall.	Nicholson.
Dunagan.	Puryear.
Engelhard.	Ratliff.
Fain.	Ray.
Fisher.	Reed of Bowie.
Fuchs.	Roberts.
Glass.	Rogers of Hunt.
Good.	Rogers
Goodman.	of Ochiltree.
Griffith.	Rollins.
Hankamer.	Ross.
Harman.	Russell.
Harris.	Savage.
Head.	Scott.
Hicks.	Smith.
Holekamp.	Stinson.
Holland.	Stovall.
Hoskins.	Tarwater.
Hughes.	Thomas.
Jackson.	Tillery.
James.	Townsend.
Jones of Atascosa.	Van Zandt.
Jones of Runnels.	Wagstaff.
Jones of Shelby.	Walker.
Kayton.	Weinert.
Kyle of Hays.	Wells.
Kyle of Palo Pinto.	Winningham.
Latham.	Wood.

Nays—26

Barrett.	Golson.
Beck.	Graves.
Burns.	Haag.
Canon.	Hester.
Colson.	Hill of Brazoria.
Crossley.	Huddleston.
Daniel.	Hyder.

Jefferson.
Laird.
McClain.
McGregor.
Metcalf.
Munson.

Palmer.
Patterson.
Pope.
Reed of Dallas.
Scarborough.
Vaughan.

Absent

Alexander.	Johnson
Alsup.	of Anderson.
Anderson	Lemens.
of Bexar.	Long.
Anderson	Magee.
of Johnson.	Mathis.
Barron.	McCullough.
Butler.	McDougald.
Calvert.	McKee.
Cathey.	Parkhouse.
Caven.	Pavlica.
Coombes.	Ramsey.
Davidson.	Reader.
Dean.	Renfro.
Dunlap.	Riddle.
Duvall.	Shannon.
Dwyer.	Shults.
Few.	Stanfield.
Ford.	Steward.
Greathouse.	Sullivant.
Harrison.	Tennyson.
Hartzog.	Turlington.
Hill of Webb.	West.
Holloway.	Young.
Hunt.	

Absent—Excused

Aikin.	Johnson
Hodges.	of Dimmit.

The Speaker then directed the Door-keeper to close the main entrance to the Hall, and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no Member would be permitted to leave the Hall without written permission from the Speaker.

On motion of Mr. Stovall, the Sergeant-at-Arms was instructed to bring in all absent Members within the city who are not ill.

HOUSE BILL NO. 154 ON FINAL PASSAGE

The House resumed consideration of pending business, same being House Bill No. 154, relative to a tax on oil; the bill having heretofore been read third time, with amendment by Mr. Haag, pending.

Mr. Daniel moved the previous question on the pending amendment and the bill, and the main question was ordered.

Question recurring on the amendment by Mr. Haag, it was lost.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes made in the body of the bill.

House Bill No. 154 was then passed by the following vote:

Yeas—66

Adamson.	Kyle of Hays.
Baker.	Laird.
Barrett.	Lindsey.
Barron.	Lotief.
Beck.	Magee.
Bedford.	McCullough.
Burns.	Merritt.
Camp.	Mitcham.
Cowley.	Morrison.
Crossley.	Munson.
Daniel.	Palmer.
Davidson.	Puryear.
Engelhard.	Ratliff.
Fain.	Ray.
Fisher.	Reed of Bowie.
Fuchs.	Rogers of Hunt.
Glass.	Rogers
Golson.	of Ochiltree.
Good.	Rollins.
Goodman.	Ross.
Graves.	Savage.
Harman.	Scarborough.
Hartzog.	Scott.
Head.	Smith.
Hester.	Stinson.
Hicks.	Stovall.
Hoskins.	Tarwater.
Hughes.	Thomas.
Hyder.	Tillery.
James.	Van Zandt.
Jefferson.	Vaughan.
Jones of Atascosa.	Wells.
Jones of Runnels.	Wood.
Kayton.	

Nays—45

Alexander.	Holloway.
Anderson	Huddleston.
of Bexar.	Jackson.
Bourne.	Johnson
Bradley.	of Anderson.
Canon.	Kyle of Palo Pinto.
Chastain.	Latham.
Clayton.	Long.
Colson.	Mackay.
Devall.	McClain.
Dunagan.	Metcalfe.
Dwyer.	Moffett.
Ford.	Moore.
Griffith.	Morse.
Haag.	Nicholson.
Hankamer.	Parkhouse.
Harris.	Patterson.
Holekamp.	Pope.
Holland.	Reed of Dallas.

Roberts.	Walker.
Russell.	Weinert.
Tennyson.	Winningham.
Townsend.	Young.
Wagstaff.	

Absent

Alsup.	Lemens.
Anderson	Leonard.
of Johnson.	Mathis.
Butler.	McDougald.
Calvert.	McGregor.
Cathey.	McKee.
Caven.	Pavlica.
Coombes.	Ramsey.
Dean.	Reader.
Dunlap.	Renfro.
Duvall.	Riddle.
Few.	Shannon.
Greathouse.	Shults.
Harrison.	Stanfield.
Hill of Brazoria.	Steward.
Hill of Webb.	Sullivant.
Hunt.	Turlington.
Jones of Shelby.	West.

Absent—Excused

Aikin.	Johnson
Hodges.	of Dimmit.

HOUSE BILL NO. 166 ON PASSAGE TO ENGROSSMENT

The Speaker laid before the House, as pending business, on its passage to engrossment,

H. B. No. 166, A bill to be entitled "An Act making appropriations to pay the salaries of officers and employes of certain educational institutions and other expenses of maintaining and conducting them as follows, to wit: The Agricultural and Mechanical College of Texas, The State Agricultural Experiment Station System, The Extension Service and Rodent Control Service, Texas Department of Forestry, North Texas Junior Agricultural College, John Tarleton Agricultural College, Prairie View State Normal and Industrial College, The University of Texas, including the Extramural Division, and the Medical Branch at Galveston, and the College of Mines and Metallurgy at El Paso, etc.";

The bill having heretofore been read second time, with committee amendment by Mr. Harman, pending;

The House having under consideration, at this time, the division of the amendment relative to The University of Texas.

Mr. Aikin offered the following amendment to this section of the committee amendment:

Amend committee amendment to House Bill No. 166, page 64, line 31, by striking out the figures "\$4,500," and inserting in lieu thereof the figures "\$4,000."

AIKIN,
LOTIEF.

The amendment was adopted.

Mr. Aikin offered the following amendment to this section of the committee amendment:

Amend committee amendment to House Bill No. 166, page 64, line 34, by striking out the figures "\$4,200," and inserting in lieu thereof the figures "\$4,000."

AIKIN,
LOTIEF.

The amendment was adopted.

Mr. Griffith moved to reconsider the vote by which the House agreed to consider the committee amendment, section by section.

The motion to reconsider prevailed.

Question then recurring on the motion that the amendment be considered section by section, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—54

Adamson.	Latham.
Baker.	Lindsey.
Barrett.	Lotief.
Barron.	Magee.
Beck.	McCullough.
Canon.	Merritt.
Cowley.	Morrison.
Devall.	Nicholson.
Dunagan.	Parkhouse.
Fain.	Pavlica.
Fisher.	Puryear.
Fuchs.	Ratliff.
Golson.	Ray.
Goodman.	Reed of Bowie.
Haag.	Rogers of Hunt.
Harris.	Rollins.
Harrison.	Ross.
Hartzog.	Savage.
Hester.	Scarborough.
Hoskins.	Scott.
Huddleston.	Smith.
James.	Stovall.
Jefferson.	Tennyson.
Jones of Runnels.	Thomas.
Jones of Shelby.	Vaughan.
Kyle of Palo Pinto.	Wood.
Laird.	Young.

Nays—54

Alexander.	Jones of Atascosa.
Anderson	Kyle of Hays.
of Bexar.	Leonard.
Bedford.	Long.
Bourne.	Mackay.
Bradley.	Mathis.
Burns.	McClain.
Camp.	Metcalfe.
Chastain.	Mitcham.
Clayton.	Moffett.
Colson.	Moore.
Daniel.	Morse.
Davidson.	Munson.
Dunlap.	Patterson.
Dwyer.	Pope.
Engelhard.	Reed of Dallas.
Ford.	Roberts.
Glass.	Russell.
Griffith.	Stinson.
Hankamer.	Tarwater.
Head.	Tillery.
Hill of Brazoria.	Townsend.
Holekamp.	Van Zandt.
Holland.	Wagstaff.
Hughes.	Walker.
Hyder.	Weinert.
Jackson.	Wells.
Johnson	
of Anderson.	

Absent

Alsup.	Kayton.
Anderson	Lemens.
of Johnson.	McDougald.
Butler.	McGregor.
Calvert.	McKee.
Cathey.	Palmer.
Caven.	Ramsey.
Coombes.	Reader.
Crossley.	Renfro.
Dean.	Riddle.
Duvall.	Rogers
Few.	of Ochiltree.
Good.	Shannon.
Graves.	Shults.
Greathouse.	Stanfield.
Harman.	Steward.
Hicks.	Sullivan.
Hill of Webb.	Turlington.
Holloway.	West.
Hunt.	Winningham.

Absent—Excused

Aikin.	Johnson
Hodges.	of Dimmit.

Mr. Moore moved the previous question on the pending amendment and the bill, and the motion was duly seconded.

Question recurring on the motion for the main question, yeas and nays were demanded.

The roll of the House was called, and the vote announced as follows: Yeas, 59; nays, 57.

Mr. Parkhouse called for a verification of the vote.

The roll of the yeas and nays was then called, and the vote announced as follows:

Yeas—56

Alexander.	Jones of Shelby.
Anderson	Kyle of Hays.
of Bexar.	Leonard.
Bedford.	Long.
Bourne.	Mackay.
Bradley.	Mathis.
Burns.	McClain.
Camp.	Metcalf.
Chastain.	Mitcham.
Clayton.	Moffett.
Daniel.	Moore.
Davidson.	Morse.
Dunlap.	Munson.
Dwyer.	Patterson.
Engelhard.	Pope.
Ford.	Reed of Dallas.
Glass.	Roberts.
Hankamer.	Russell.
Head.	Scarborough.
Hill of Brazoria.	Stinson.
Holland.	Tarwater.
Holloway.	Tillery.
Hughes.	Townsend.
Hyder.	Van Zandt.
Jackson.	Wagstaff.
Jefferson.	Weinert.
Johnson	Wells.
of Anderson.	Winningham.
Jones of Atascosa.	Young.

Nays—57

Adamson.	Hoskins.
Baker.	James.
Barrett.	Jones of Runnels.
Barron.	Kayton.
Beck.	Kyle of Palo Pinto.
Canon.	Laird.
Colson.	Latham.
Cowley.	Lindsey.
Devall.	Lotief.
Dunagan.	Magee.
Fain.	McCullough.
Fisher.	Merritt.
Fuchs.	Morrison.
Golson.	Nicholson.
Good.	Parkhouse.
Goodman.	Pavlica.
Griffith.	Puryear.
Haag.	Ratliff.
Harris.	Ray.
Harrison.	Reed of Bowie.
Hartzog.	Rogers of Hunt.
Hester.	Rogers
Hicks.	of Ochiltree.
Holekamp.	Rollins.

Ross.
Savage.
Scott.
Smith.
Stovall.

Tennyson.
Thomas.
Vaughan.
Walker.
Wood.

Absent

Alsup.	Hunt.
Anderson	Lemens.
of Johnson.	McDougald.
Butler.	McGregor.
Calvert.	McKee.
Cathey.	Palmer.
Caven.	Ramsey.
Coombes.	Reader.
Crossley.	Renfro.
Dean.	Riddle.
Duvall.	Shannon.
Few.	Shults.
Graves.	Stanfield.
Greathouse.	Steward.
Harman.	Sullivan.
Hill of Webb.	Turlington.
Huddleston.	West.

Absent—Excused

Aikin.	Johnson
Hodges.	of Dimmit.

The Speaker announced that the motion was lost.

Mr. Morse moved the previous question on the pending amendment and the bill, and the motion was duly seconded.

Question recurring on the motion for the main question, yeas and nays were demanded.

The roll of the House was called, and the vote announced as follows: Yeas, 63; nays, 55.

Mr. Anderson of Bexar called for a verification of the vote.

The roll of the yeas and nays was then called, and the vote announced as follows:

Yeas—63

Alexander.	Engelhard.
Anderson	Ford.
of Bexar.	Glass.
Barrett.	Graves.
Bedford.	Griffith.
Bourne.	Hankamer.
Burns.	Head.
Camp.	Hill of Brazoria.
Chastain.	Holekamp.
Clayton.	Holland.
Colson.	Hughes.
Crossley.	Hyder.
Daniel.	Jackson.
Davidson.	Jefferson.
Dunlap.	Jones of Atascosa.
Dwyer.	Jones of Shelby.

Kayton.	Pope.
Kyle of Hays.	Reed of Dallas.
Laird.	Roberts.
Leonard.	Rogers
Long.	of Ochiltree.
Mackay.	Russell.
Mathis.	Scarborough.
McClain.	Stinson.
McGregor.	Tarwater.
Metcalfe.	Tillery.
Mitcham.	Townsend.
Moffett.	Van Zandt.
Moore.	Weinert.
Morse.	Wells.
Munson.	Winningham.
Nicholson.	Young.
Patterson.	

Nays—54

Adamson.	Latham.
Baker.	Lindsey.
Beck.	Lotief.
Bradley.	Magee.
Canon.	McCullough.
Cowley.	Merritt.
Devall.	Morrison.
Dunagan.	Palmer.
Fain.	Parkhouse.
Fisher.	Pavlica.
Fuchs.	Puryear.
Golson.	Ratliff.
Good.	Ray.
Goodman.	Reed of Bowie.
Haag.	Rogers of Hunt.
Harris.	Rollins.
Harrison.	Ross.
Hartzog.	Savage.
Hester.	Scott.
Hicks.	Smith.
Holloway.	Stovall.
Hoskins.	Tennyson.
Huddleston.	Thomas.
James.	Vaughan.
Johnson	Wagstaff.
of Anderson.	Walker.
Jones of Runnels.	Wood.
Kyle of Palo Pinto.	

Absent

Alsup.	Hunt.
Anderson	Lemens.
of Johnson.	McDougald.
Barron.	McKee.
Butler.	Ramsey.
Calvert.	Reader.
Cathey.	Renfro.
Caven.	Riddle.
Coombes.	Shannon.
Dean.	Shults.
Duvall.	Stanfield.
Few.	Steward.
Greathouse.	Sullivant.
Harman.	Turlington.
Hill of Webb.	West.

Absent—Excused

Aikin.	Johnson
Hodges.	of Dimmit.

The Speaker announced that the motion for the main question prevailed.

Question then recurring on committee amendment No. 1, it was adopted.

House Bill No. 166 was then passed to engrossment by the following vote:

Yeas—68

Alexander.	Jones of Atascosa.
Anderson	Jones of Shelby.
of Bexar.	Kyle of Hays.
Barron.	Kyle of Palo Pinto.
Bourne.	Leonard.
Bradley.	Long.
Burns.	Magee.
Camp.	Mackay.
Chastain.	Mathis.
Clayton.	McClain.
Colson.	McGregor.
Crossley.	Mitcham.
Daniel.	Moore.
Davidson.	Morrison.
Devall.	Morse.
Dunlap.	Munson.
Dwyer.	Nicholson.
Engelhard.	Parkhouse.
Ford.	Patterson.
Fuchs.	Reed of Dallas.
Glass.	Roberts.
Good.	Rogers
Graves.	of Ochiltree.
Griffith.	Rollins.
Hankamer.	Ross.
Harman.	Russell.
Head.	Stinson.
Hicks.	Tarwater.
Hill of Brazoria.	Tillery.
Holekamp.	Townsend.
Holland.	Wagstaff.
Hyder.	Weinert.
Jackson.	Wells.
Jefferson.	Winningham.
Johnson	Young.
of Anderson.	

Nays—48

Adamson.	Haag.
Baker.	Harris.
Barrett.	Harrison.
Beck.	Hartzog.
Bedford.	Hester.
Canon.	Holloway.
Cowley.	Hoskins.
Dunagan.	Huddleston.
Fain.	Hughes.
Fisher.	James.
Goodman.	Jones of Runnels.

Laird.	Reed of Bowie.
Latham.	Rogers of Hunt.
Lindsey.	Savage.
Lotief.	Scarborough.
McCullough.	Scott.
Merritt.	Smith.
Metcalfe.	Stovall.
Moffett.	Tennyson.
Pavlica.	Thomas.
Pope.	Van Zandt.
Puryear.	Vaughan.
Ratliff.	Walker.
Ray.	Wood.

Absent

Alsup.	Lemens.
Anderson	McDougald.
of Johnson.	McKee.
Butler.	Palmer.
Calvert.	Ramsey.
Cathey.	Reader.
Caven.	Renfro.
Coombes.	Riddle.
Dean.	Shannon.
Duvall.	Shults.
Few.	Stanfield.
Golson.	Steward.
Greathouse.	Sullivant.
Hill of Webb.	Turlington.
Hunt.	West.
Kayton.	

Absent—Excused

Aikin.	Johnson
Hodges.	of Dimmit.

Mr. Griffith moved to reconsider the vote by which House Bill No. 166 was passed to engrossment, and to table the motion to reconsider.

The motion to table prevailed.

MOTION TO TAKE UP HOUSE BILL NO. 166

Mr. Harman moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 166 be placed on its third reading and final passage.

The motion was lost (not receiving the necessary four-fifths vote) by the following vote:

Yeas—74

Alexander.	Clayton.
Anderson	Colson.
of Bexar.	Crossley.
Bedford.	Daniel.
Bourne.	Davidson.
Bradley.	Devall.
Burns.	Dunlap.
Camp.	Dwyer.
Chastain.	Engelhard.

Ford.	Moffett.
Glass.	Moore.
Good.	Morse.
Goodman.	Munson.
Graves.	Nicholson.
Griffith.	Patterson.
Hankamer.	Pavlica.
Harman.	Pope.
Head.	Ratliff.
Hicks.	Reed of Dallas.
Hill of Brazoria.	Roberts.
Holekamp.	Rogers
Holland.	of Ochiltree.
Hyder.	Rollins.
Jackson.	Ross.
Jefferson.	Russell.
Johnson	Stinson.
of Anderson.	Stovall.
Jones of Atascosa.	Tarwater.
Jones of Shelby.	Tennyson.
Kayton.	Tillery.
Kyle of Hays.	Townsend.
Kyle of Palo Pinto.	Van Zandt.
Laird.	Wagstaff.
Leonard.	Walker.
Long.	Weinert.
Magee.	Wells.
Mackay.	Winningham.
Mathis.	Young.
Mitcham.	

Nays—40

Adamson.	Jones of Runnels.
Baker.	Latham.
Barrett.	Lindsey.
Barron.	Lotief.
Beck.	McCullough.
Canon.	Merritt.
Cowley.	Metcalfe.
Dunagan.	Morrison.
Fain.	Parkhouse.
Fisher.	Puryear.
Fuchs.	Ray.
Haag.	Reed of Bowie.
Harris.	Rogers of Hunt.
Hartzog.	Savage.
Hester.	Scarborough.
Holloway.	Scott.
Hoskins.	Smith.
Huddleston.	Thomas.
Hughes.	Vaughan.
James.	Wood.

Absent

Alsup.	Greathouse.
Anderson	Harrison.
of Johnson.	Hill of Webb.
Butler.	Hunt.
Calvert.	Lemens.
Cathey.	McClain.
Caven.	McDougald.
Coombes.	McGregor.
Dean.	McKee.
Duvall.	Palmer.
Few.	Ramsey.
Golson.	Reader.

Renfro.
Riddle.
Shannon.
Shults.
Stanfield.

Steward.
Sullivant.
Turlington.
West.

Absent—Excused

Aikin.
Hodges.

Johnson
of Dimmit.

LEAVES OF ABSENCE GRANTED

(By Unanimous Consent)

Mr. Aikin was granted leave of absence for this afternoon, on account of illness of his father, on motion of Mr. Tennyson.

Mr. Hodges was granted leave of absence for today on account of important business, on motion of Mr. Canon.

RELATIVE TO SENATE BILL NO. 472

Mr. Kyle of Hays raised the following point of order:

"I raise the following point of order in regard to Senate Bill No. 472:

"Senate Bill No. 472 is an emergency general appropriation bill, providing for the support and maintenance of summer schools during the summer of the year 1933, at the several State institutions of higher learning in the State of Texas. To date, no report on this bill has been made by the House Committee on Appropriations. Under Rule VIII, of the Special Joint Rules of the Forty-third Legislature, adopted February 20, 1933, it is provided that it shall be mandatory upon the House Committee on Appropriations and the presiding officer thereof to report out to the House all general appropriation bills for the biennium ending August 31, 1935, on or before March 25, 1933.

"I therefore make the point of order that Senate Bill No. 472 is no longer before the House Committee on Appropriations, and said Committee should be ordered to report to the House for action thereon by said House."

The Speaker sustained the point of order.

SENATE BILL ON FIRST READING

Senate Bill No. 412 was received from the Senate today, laid before the House, read first time, and referred to the appropriate committee.

ADJOURNMENT

On motion of Mr. Anderson of Bexar, the House, at 3:49 o'clock p. m., adjourned until 3:50 o'clock p. m., Friday, April 21.

APPENDIX

STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills and resolution, as follows:

Counties: Senate Bill No. 209.

Revenue and Taxation: House Bill No. 299.

Appropriations: House Bills Nos. 891 and 897; Senate Bills Nos. 98, 268, 287, 288, 234, and 265.

Common Carriers: Senate Bills Nos. 331 and 312.

Judiciary: House Bill No. 881.

Criminal Jurisprudence: Senate Bill No. 465.

State Affairs: House Concurrent Resolution No. 66.

Game and Fisheries: House Bills Nos. 893, 894, and 889; Senate Bill No. 499.

Municipal and Private Corporations: Senate Bills Nos. 253 and 334.

Conservation and Reclamation: Senate Bills Nos. 426, 244, 392, and 483.

The Committee on Revenue and Taxation filed adverse reports on House Bills Nos. 707, 419, 305, 526, and 856.

The Committee on Revenue and Taxation filed an adverse report, with a minority favorable report, on House Bill No. 472.

The Committee on Criminal Jurisprudence filed an adverse report, with a minority favorable report, on House Bill No. 888.

The Committee on Appropriations filed an adverse report, with a minority favorable report, on Senate Bill No. 472.

REPORT OF THE COMMITTEE ON ENGROSSED BILLS

Committee Room,
Austin, Texas, April 20, 1933.

Hon. Coke Stevenson, Speaker of the
House of Representatives.

Sir: Your Committee on Engrossed
Bills, to whom was referred

H. B. No. 652, A bill to be entitled
"An Act to safeguard the consumers
of natural gas, whether used on a
domestic, commercial, or industrial
basis, against excess charges, by pro-
hibiting the ready-to-serve charge
and/or fixed service charge by the gas
companies, corporations, or individuals
serving natural gas on a domestic,
commercial, or industrial basis; defin-
ing 'ready-to-serve charge'; provid-
ing a penalty for violations of said
Act; repealing all laws and parts of
laws in conflict herewith, and declar-
ing an emergency,"

Has carefully compared same, and
finds it correctly engrossed.

HYDER, Vice-Chairman.

Committee Room,
Austin, Texas, April 21, 1933.

Hon. Coke Stevenson, Speaker of the
House of Representatives.

Sir: Your Committee on Engrossed
Bills, to whom was referred

H. B. No. 349, A bill to be entitled
"An Act amending Article 308, of the
Revised Civil Statutes of the State
of Texas, of 1925, by adding thereto
provision that attorneys from other
jurisdictions shall be required to pass
the examination given to other appli-
cants, and providing exceptions; with
exception respecting participation by
such attorneys in the trial or hearing
of any particular case wherein a res-
ident practicing attorney of Texas is
actually employed, associated, and
personally participating; repealing all
laws in conflict, and declaring an
emergency,"

Has carefully compared same, and
finds it correctly engrossed.

HYDER, Vice-Chairman.

Committee Room,
Austin, Texas, April 21, 1933.

Hon. Coke Stevenson, Speaker of the
House of Representatives.

Sir: Your Committee on Engrossed
Bills, to whom was referred

H. B. No. 880, A bill to be entitled
"An Act amending Subdivision 37, of
Article 199, of the Revised Civil Stat-
utes of the State of Texas, providing
for changes in the times for terms of
court in the Thirty-seventh, Forty-
fifth, Fifty-seventh, and Seventy-third
Judicial Districts of Texas, providing
for vacations for the judges thereof,
providing necessary provisions with
reference to processes, writs, and petit
jurors made necessary by the changes
made by this Act, and validating and
legalizing the same, providing that
the terms of court in the Ninety-
fourth Judicial District of Texas shall
remain as now fixed by law until Jan-
uary 1, 1935, and declaring an emer-
gency,"

Has carefully compared same, and
finds it correctly engrossed.

HYDER, Vice-Chairman.

Committee Room,
Austin, Texas, April 21, 1933.

Hon. Coke Stevenson, Speaker of the
House of Representatives.

Sir: Your Committee on Engrossed
Bills, to whom was referred

H. B. No. 558, A bill to be entitled
"An Act abolishing the office of Dis-
trict Attorney for the Thirtieth Judi-
cial District, comprised of Young
Archer, and Wichita Counties; and
providing that the now county attor-
neys shall act as criminal district at-
torneys for their respective counties
from and after the date of the expira-
tion of the term of office to which the
now district attorney was elected;
and fixing the fees of their office cre-
ated by this Act, and repealing all
laws in conflict herewith,"

Has carefully compared same, and
finds it correctly engrossed.

HYDER, Vice-Chairman.

In Memory of Mrs. Melvin Riley

Mr. Winningham offered the following resolution:

Whereas, On April 21, 1933, Mrs. Melvin Riley, of Wortham, Texas, the beloved mother-in-law of our friend and esteemed Member, Hon. Hugh B. Steward, was called to her eternal rest; and

Whereas, Our deepest and most heartfelt sympathy at this time of bereavement goes out to our fellow Member, and his family; now, therefore, be it

Resolved by the House of Representatives of the State of Texas, That we express to Mr. and Mrs. Steward our sincere sympathy in this their hour of bereavement, and that when the House adjourns today, it do so out of honor and respect to the memory of Mrs. Riley, and that a copy of this resolution be spread upon the Journal of the House, and that copies hereof be forwarded to Hon. Hugh Steward; and be it further

Resolved, That a suitable floral offering be presented.

WINNINGHAM,
ROSS,
FORD,
METCALFE.

The resolution was read second time.

On motion of Mr. Metcalfe, the names of all the Members of the House were added to the resolution as signers thereof:

Signed—Stevenson, Speaker; Adamson, Aikin, Alexander, Alsup, Anderson of Bexar, Anderson of Johnson, Baker, Barrett, Barron, Beck, Bedford, Bourne, Bradley, Burns, Butler, Calvert, Camp, Canon, Cathey, Caven, Chastain, Clayton, Colson, Coombes, Cowley, Crossley, Daniel, Davidson, Dean, Devall, Dunagan, Dunlap, Duvall, Dwyer, Engelhard, Fain, Few, Fisher, Fuchs, Glass, Golson, Good, Goodman, Graves, Greathouse, Griffith, Haag, Hankamer, Harman, Harris, Harrison, Hartzog, Head, Hester, Hicks, Hill of Brazoria, Hill of Webb, Hodges, Holekamp, Holland, Holloway, Hoskins, Huddleston, Hughes, Hunt, Hyder, Jackson, James, Jefferson, Johnson of Dimmit, Johnson of Anderson, Jones of Runnels, Jones of Shelby, Jones of Atascosa, Kayton, Kyle of Palo Pinto, Kyle of Hays, Laird, Latham, Lemens, Leonard, Lindsey, Long, Lotief, Magee, Mackay, Mathis, McClain, McCullough, McDougald, McGregor, McKee, Merritt, Mitcham, Moffett, Moore, Morrison, Morse, Munson, Nicholson, Palmer, Parkhouse, Patterson, Pavlica, Pope, Puryear, Ramsey, Ratliff, Ray, Reader, Reed of Bowie, Reed of Dallas, Renfro, Riddle, Roberts, Rogers of Ochiltree, Rogers of Hunt, Rollins, Russell, Savage, Scarborough, Scott, Shannon, Shults, Smith, Stanfield, Stinson, Stovall, Sullivant, Tarwater, Tennyson, Thomas, Tillery, Townsend, Turlington, Van Zandt, Vaughan, Wagstaff, Walker, Weinert, Wells, West, Wood, Young.

The resolution was then adopted.